

Congress Shall Make No Law is a well-written book on the Supreme Court's First Amendment jurisprudence. It is clear that Professor O'Brien has a great deal of knowledge on the topic and he writes in a straight-forward, easy-to-understand manner. The book contains a detailed index and numerous endnotes, as well as a selected bibliography for additional reading. Especially helpful is the Unprotected Speech Time Line that provides a chronological look at both Supreme Court cases and statutory enactments that impact free expression. One limitation in the discussion of the Supreme Court cases is the occasional statement that the Court held in a certain way without any discussion of the Court's reasoning. For a reader with a legal background, this sort of omission can prove frustrating because legal analysis is highly dependent on the question of why. Despite this minor flaw, *Congress Shall Make No Law* serves as a complete overview of freedom of expression and unprotected speech and will give readers a solid understanding of the topic.

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Intellectual Property and Human Development: Current Trends and Future Scenarios. Edited by Tzen Wong and Graham Dutfield. Cambridge: Cambridge University Press, 2011. Pp. L, 397. ISBN: 978-0-521-19093-0 (hbk), 978-0-521-13828-4 (pbk). UK £60.00 (hbk), £19.99 (pbk); US \$95.00 (hbk.), \$32.99 (pbk).

When asked about the effects of intellectual property laws on their lives, citizens of developed countries might mention patents as the reason they cannot buy generic versions of the medicines they need, or copyright as the reason some popular movies and musical works are not available on YouTube. They are not likely to list development of medicines for neglected diseases or commercial appropriation of traditional knowledge and crafts of indigenous peoples. This book will expand the reader's understanding of the tangible effects intellectual property laws have on people's lives.

Approaching intellectual property from a human development perspective, each chapter examines a different area of intellectual property and discusses how the relevant laws expand or contract people's capabilities to lead fulfilling lives. This approach is multidisciplinary and adopts an expansive view of human development to include access to health, education, food, and culture. Each type of intellectual property affects human

development. Patents can be used to prevent the production and importing of generic drugs, which makes the drugs more expensive and less accessible in developing nations. Food security can be undermined due to patents on genetically modified crop seeds. Copyright can hinder the transfer of knowledge by keeping educational textbooks and scholarly journals too costly for developing nations. One can certainly make arguments to defend these uses of intellectual property, but this book suggests that human development was not adequately considered when intellectual property rules were devised.

Just as human development concerns are posed as alternatives to the economic incentive justification for intellectual property, additional models of intellectual property are presented. Traditional knowledge and cultural expressions present especially difficult cases that challenge the Western dichotomy between works that are proprietary and those that are in the public domain and have no legal protections whatsoever. While it may seem reasonable that indigenous peoples should have some control over and receive some benefit from cultural traditions passed down through generations, developing legal mechanisms to protect these intangible goods, whether by familiar intellectual property mechanisms or *sui generis* rights, is challenging. These are just a few examples of the intellectual property regimes described in the book.

This edited volume contains nine chapters and five appendices. Patent and copyright law each receives about equal attention, while trademarks receive less, but still substantial, coverage. The book is decidedly international in scope; the authors hail from a wide range of countries, and a variety of national and regional laws and multilateral treaties are discussed. This book provides an excellent orientation to international copyright law and its focus on human development contextualizes the material and keeps it from becoming too abstract. The bibliographies are comprehensive and will be a valuable source for literature reviews for quite some time.

I highly recommend this book for any academic collection in intellectual property law or even international law generally. One minor complaint, which is directed more at academic publishing in general than at this specific book, is that the extensive bibliographies contain a number of URLs that are not likely to survive very far into the future. For instance, many of the citations to law journal articles contain URLs from the Social Science Research Network, when URLs from the journals' own websites would probably be more dependable. Complete bibliographic information is given such that a diligent researcher should be able to eventually retrieve the source,

so the URLs should only be regarded as supplemental. On the whole, this book will be a great resource for scholars and policymakers.

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International Law between Universalism and Fragmentation. Edited by Isabelle Buffard, James Crawford, Alain Pellet and Stephan Wittich. Leiden; Boston: Martinus Nijhoff Publishers, 2008. Pp. xi, 1077. ISBN 978-90-04-16727-8. €203.00; US\$312.00

This Festschrift is a collection of essays written by members of Europe's legal academy and international law practice, and honors Gerhard Hafner's 65th birthday and his retirement as a professor at the University of Vienna. Hafner's contributions to international law are many; he is a renowned scholar, diplomat, legal adviser, and arbitrator. He was an influential contributor to the Rome Statute of the International Criminal Court, both as a member of the International Law Commission (1997-2001) and as head of the Austrian delegation at the Rome Conference in 1998. This collection covers a vast array of areas in an attempt to reflect Hafner's generalist approach towards international law. Prominently featured in the Festschrift are the topics of international criminal law and the fragmentation of international law. Also covered are the theory of international law (including sources), basic principles of international law, codification of international law, subjects of international law, international dispute settlement, the law of the sea and international environmental law, human rights and humanitarian law, and the law of the European Union.

While the two introductory chapters detail Gerhard Hafner's professional accomplishments, they are hard to gauge in this review as they are written in German. Luckily for the English reader, the number of chapters written in German and French is very limited (less than 20 per cent). However, they do cover interesting issues. The chapters written in German discuss: international law theory and practice, individual and state responsibility in international crimes, human rights and humanitarian law, international dispute resolution, and European law. The non-German reader can only hope that some of that information is available from the other forty-three chapters. It frequently is, though the perspective may differ.